

Chapter 30

The Helsinki Final Act: Human Rights and Fundamental Freedoms Enunciated

Helsinki Conference on European Security (1975)

1 **Introduction**

2 The Helsinki Conference on European Security of 1975 was an ambitious undertaking, which
3 continues to have an influence on international politics. Indeed, some argue that the Helsinki
4 Final Act is perhaps the most influential international agreement since the establishment of the
5 United Nations. Envisioned as a conference to recognize the existing borders and to
6 institutionalize the peaceful coexistence then present in the world, the Conference
7 accomplishments included recognizing those borders, assuring the Soviet bloc that the West
8 harbored no aggressive designs against them, establishing a mechanism to resolve disputes, and
9 encouraging ongoing arms control talks. Perhaps most significant of the accomplishments was
10 the elevation of basic human rights to treaty status, thus placing human rights and fundamental
11 freedoms on the international agenda. The Final Act has by now been acceded to by many
12 countries; its impact has been significant, including its use a lever to insist, for instance, that the
13 Soviet Union and other repressive regimes allow more freedom for their peoples. As a basic
14 piece of international law, the Helsinki Act has played and may continue to play a significant
15 role in the democratization of the world.

16 **Questions to Consider**

- 17 • What basic human rights are enunciated by the Final Act?
- 18 • How might such rights have eroded the political system in the Soviet Union?

21 **VII. Respect for human rights and fundamental freedoms, including the freedom of 22 thought, conscience, religion or belief**

23 The participating States will respect human rights and fundamental freedoms, including
24 the freedom of thought, conscience, religion or belief, for all without distinction as to
25 race, sex, language or religion.

26 They will promote and encourage the effective exercise of civil, political, economic,
27 social, cultural and other rights and freedoms all of which derive from the inherent
28 dignity of the human person and are essential for his free and full development.

29 Within this framework the participating States will recognize and respect the freedom of
30 the individual to profess and practice, alone or in community with others, religion or
31 belief acting in accordance with the dictates of his own conscience.

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2 The participating States on whose territory national minorities exist will respect the right
3 of persons belonging to such minorities to equality before the law, will afford them the
4 full opportunity for the actual enjoyment of human rights and fundamental freedoms and
5 will, in this manner, protect their legitimate interests in this sphere.
6

7 The participating States recognize the universal significance of human rights and
8 fundamental freedoms, respect for which is an essential factor for the peace, justice and
9 well-being necessary to ensure the development of friendly relations and co-operation
10 among themselves as among all States.
11

12 They will constantly respect these rights and freedoms in their mutual relations and will
13 endeavour jointly and separately, including in cooperation with the United Nations, to
14 promote universal and effective respect for them. They confirm the right of the individual
15 to know and act upon his rights and duties in this field.
16

17 In the field of human rights and fundamental freedoms, the participating States will act in
18 conformity with the purposes and principles of the Charter of the United Nations and
19 with the Universal Declaration of Human Rights. They will also fulfill their obligations
20 as set forth in the international declarations and agreements in this field, including, inter
21 alia, the International Covenants on Human Rights, by which they may be bound.
22

23 **VIII. Equal rights and self-determination of peoples** 24

25 The participating States will respect the equal rights of peoples and their right to self-
26 determination, acting at all times in conformity with the purposes and principles of the
27 Charter of the United Nations and with the relevant norms of international law, including
28 those relating to territorial integrity of States.
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30 By virtue of the principle of equal rights and self-determination of peoples, all peoples
31 always have the right, in full freedom, to determine, when and as they wish, their internal
32 and external political status, without external interference, and to pursue as they wish
33 their political, economic, social and cultural development.
34

35 The participating States reaffirm the universal significance of respect for and effective
36 exercise of equal rights and self-determination of peoples for the development of friendly
37 relations among themselves as among all States; they also recall the importance of the
38 elimination of any form of violation of this principle.